

FILED

MAY 29, 2008

KAREN S. MITCHELL
CLERK, U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

BRANDON K. THRASHER,

Pro Se Plaintiff,

v.

WEST TEXAS A&M UNIVERSITY,

Defendant.

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NO. 2:07-CV-223-J

MEMORANDUM OPINION

On October 23, 2007, Plaintiff filed this case. His complaint states, in its entirety: “WTAMU in violation of ADA of 1990; Civil Rights Act; Rehab act of ’73, & discrimination, 42 USC §1983.” On February 29, 2008, Magistrate Judge Clinton Averitte granted Plaintiff’s Motion for Leave to Proceed *in forma pauperis*.

A proceeding *in forma pauperis* shall be dismissed at any time if “the court determines that” the action “fails to state a claim on which relief may be granted...” 28 U.S.C. §1915(e)(2)(B)(ii) (2008). A complaint must contain “enough facts to state a claim to relief that is plausible on its face.” *In re Katrina Canal Breaches Litigation*, 495 F.3d 191, 205 (5th Cir. 2007), quoting *Bell Atl. Corp. v. Twombly*, 127 S. Ct. 1955, 1974 (2007). In deciding whether or not the pleadings state a claim, it is inappropriate to look beyond the pleadings themselves. *Jackson v. Beaumont Police Dep’t*, 958 F.2d 616, 618 (5th Cir. 1992).

Even liberally construed, Plaintiff's complaint alleges no facts, which, if true, state a claim on which relief may be granted. Plaintiff's complaint is hereby dismissed.

IT IS SO ORDERED.

Signed this 29th day of May, 2008.

/s/ Mary Lou Robinson

MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE